

U.S. ENVIRONMENTAL PROTECTION AGENCY  
POLLUTION/SITUATION REPORT  
L & R Oil Recovery - Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region IV

**Subject:** POLREP #4  
Progress - Waste Disposal Operations  
L & R Oil Recovery  
C466  
Shelby, NC  
Latitude: 35.2995780 Longitude: -81.5287140

**To:** James Webster, USEPA R4 ERRPB  
James Bateson, NCDEQ

**From:** Kevin Eichinger, Federal On-Scene Coordinator (FOSC)

**Date:** 12/14/2018

**Reporting Period:** November 22, 2018 through December 14, 2018

## 1. Introduction

### 1.1 Background

<b>Site Number:</b>	C466	<b>Contract Number:</b>	
<b>D.O. Number:</b>		<b>Action Memo Date:</b>	9/21/2018
<b>Response Authority:</b>	CERCLA	<b>Response Type:</b>	Emergency
<b>Response Lead:</b>	EPA	<b>Incident Category:</b>	Removal Action
<b>NPL Status:</b>	Non NPL	<b>Operable Unit:</b>	
<b>Mobilization Date:</b>	9/14/2018	<b>Start Date:</b>	9/14/2018
<b>Demob Date:</b>		<b>Completion Date:</b>	
<b>CERCLIS ID:</b>	NCR000169185	<b>RCRIS ID:</b>	
<b>ERNS No.:</b>		<b>State Notification:</b>	
<b>FPN#:</b>		<b>Reimbursable Account #:</b>	

#### 1.1.1 Incident Category

Comprehensive Environmental Response, Compensation and Liability Act Active Facility.

#### 1.1.2 Site Description and Location

The L&R Oil Recovery Site (the Site) is a 1.14-acre facility which originally operated as an oil trans-load business. The address of the facility is 501 Ruth Street, Shelby, Cleveland County, North Carolina. The geographical coordinates are 35.29957, -81.5287140. It is currently operated as a used oil and used oil filter recovery center. The Site consists of a 6,500 square foot single-story building and a two-bay covered loading rack. This main building is dilapidated. The roof is not intact, and a section of the concrete floor is missing. The used oil is stored onsite in tankers and then transported to a used oil recycling facility. The oil filters are drained into containers inside the building and then stored for disposal in a covered roll-off dumpster. Multiple intermediate bulk containers (IBC) and 55-gallon drums are also stored inside and outside the building. There are seven 20,000-gallon underground storage tanks (UST) on the property. The Potentially Responsible Party (PRP) reports that two of the USTs contain an unknown amount of diesel fuel and water. There is one 6,500-gallon tanker that is used as an above ground storage tank (AST). One oil recovery truck is stored in the loading rack. The Site is located directly adjacent to a residential community. The Site is fenced; however, there is evidence of trespassing and vandalism.

#### 1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

On September 14, the North Carolina Department of Environmental Quality (NCDEQ), the City of Shelby and Cleveland County officials responded to an emergency request reporting an approximately 3,000-gallon spill of oil. A 6,500-gallon tanker, used to store used oil, discharged its contents into the building via a connected hose placed through a window. The oil filled the entire building and ran out into the property and onto Ruth Street. The Site experienced rain from the Hurricane Florence outer rain bands. A nearby storm drain and several sections of the sanitary sewer system were impacted by the spill. The storm drains lead to Hickory Creek which is a tributary of the Broad River. One residential property was impacted by the spill. Two samples of oil, spilled from the 6,500-gallon tanker, were obtained and sent offsite for analytical testing. The analytical results indicated that the spilled oil contained PCBs (Aroclor 1242) at concentrations of 20.9 ppm and 18.3 ppm. The Site is not located in a Hurricane Florence natural disaster declared county. During the week of September 18, additional 55-gallon drums, intermediate bulk containers (IBC) and an additional leaking tanker containing hazardous substances were discovered on site. Samples were collected and sent to a laboratory for analysis.

The tanker held approximately 6,750 gallons of used oil and was contaminated with the following hazardous substances:

1. PCB (Aroclor 1242) - 38,000 ppm
2. PCB (Aroclor 1254) - 4,100 ppm
3. PCB (Aroclor 1260) - 2,000 ppm

4. Ethylbenzene - 34 ppm
5. Xylenes - 181 ppm
6. Tetrachloroethane - 61 ppm
7. Toluene - 100 ppm
8. Lead - 7 ppm

There were 48 IBCs and 57 55-gallon drums that were unsecured. Samples results indicated that these containers were contaminated with the following hazardous substances in varying concentrations:

1. Benzene
2. Cyclohexane
3. Ethylbenzene
4. Xylenes
5. Methylcyclohexane
6. Toluene
7. Lead
8. 2-Methylnaphthalene
9. Naphthalene
10. Isopropylbenzene
11. Tetrachloroethene

## 2. Current Activities

### 2.1 Operations Section

#### 2.1.1 Narrative

On September 14, NCDEQ, the City of Shelby and Cleveland County officials responded to an emergency request reporting a discharge of oil. The EPA, using a contract provision (Notice-To-Proceed), contracted with a local response contractor through a Basic Ordering Agreement. The response contractor was mobilized on 9/14/2018 for the initial site stabilization. Federal On-Scene Coordinator (FOSC) Englert coordinated the initial stabilization efforts from the Regional Emergency Operations Center (REOC). FOSC Eichinger responded and assumed the Site on September 18. The EPA Superfund Technical Assessment and Response Training (START) contractors and Emergency and Rapid Removal Services (ERRS) contractors were mobilized to support the FOSC and conduct additional cleanup operations.

#### 2.1.2 Response Actions to Date

On December 4, the Ceiling Increase Action Memo was reviewed and approved by the Region 4 Superfund Division Director.

During the week of December 10, FOSC Eichinger and ERRS returned to the site. Water that had accumulated in the roll-off dumpsters was removed and containerized into IBCs. Oil absorbent was added to absorb the remaining oil. PCB contaminated solid waste was removed from the building and staged in the roll-off containers. 27 IBCs of PCB oil were prepared and shipped offsite for disposal at the Veolia Port Arthur, TX facility. Oil absorbent boom previously placed around the site was inspected and did not require replacement.

The Attorney/Advisers, Region 4 RCRD PCB Program Coordinators, and FOSC Eichinger conducted a conference call and discussed the disposition of the 9,500-gallon leased tanker trailer that held the PCB oil. The team discussed decontamination requirements and replacement responsibility if the tanker was disposed of as opposed to decontaminated. TSCA decontamination requirements were provided to the owner of the tanker, and a signed agreement to decontaminate it was obtained. The owner will decontaminate it offsite and provide EPA with proof of waste disposal. The EPA will conduct confirmatory wipe samples on the tanker.

#### 2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

The PRP stated that he did not have the funds available to respond to the spill or perform any of the required cleanup. The NCDEQ requested EPA assistance. FOSC Eichinger will work with EPA's Enforcement Team to identify PRPs. The PRP information is found in the Enforcement Addendum attachment to the Emergency Response Action Memo.

#### 2.1.4 Progress Metrics

<b>Waste Stream</b>	<b>Medium</b>	<b>Quantity</b>	<b>Manifest #</b>	<b>Treatment</b>	<b>Disposal</b>
Oil Contaminated Debris (<50 ppm PCB) (generated by the emergency cleanup)	Solid	~100 cubic yards	TBD		Landfill
Oil/Water Mixture (<50 ppm PCB) (generated by the emergency cleanup)	Liquid	~1700 gallons	TBD	TBD	TBD
PCB Containing Oil (>50 ppm) (transferred from the leaking 9500 gallon transport tanker)	Liquid	~6,750 gallons	019756009, 019756008	N/A	TSCA PCB Incineration
PCB Contaminated Oil (<50 ppm) (transferred from the tanker that was used as an AST)	Liquid	~1,125 gallons	TBD	TBD	TBD
Hazardous Waste in Drums and Totes	Liquid	~2,800 gallons	TBD	TBD	TBD
Oil/Water Mixture in USTs (analytical results pending)	Liquid	~44,000 gallons	TBD	TBD	TBD

## 2.2 Planning Section

### 2.2.1 Planned Response Activities

The following activities are planned during the next operational periods:

1. Ship the remaining offsite.
2. Conduct soil sampling on adjacent residential properties.

### 2.2.2 Next Steps

On September 17, the NCDEQ Hazardous Waste Section formally referred the Site to the Region 4 EPA Emergency Response, Removal and Prevention Branch for Time-Critical Removal Action consideration. The facility is located near residential structures, and the PRP does not have the funding available to perform the necessary remedial actions needed to prevent further environmental harm, or to remove the waste oil contaminated with PCBs. Substantial remediation of the Site may be necessary as oil may have contaminated the soil underneath the building pad and there is a concern that historical contamination has occurred.

### 2.2.3 Issues

No pertinent information to report at this time.

## 2.3 Logistics Section

Logistical support for the response was provided by EPA BOA, ERRS and START contractors.

## 2.4 Finance Section

### 2.4.1 Narrative

The response was initially funded through the National Pollution Oil Fund Center. Funding was switch to a CERCLA account when Polychlorinated Biphenyls (PCB) were detected in the spilled oil.

### Estimated Costs \*

	Budgeted	Total To Date	Remaining	% Remaining
<b>Extramural Costs</b>				
ERRS - Cleanup Contractor	\$455,000.00	\$345,000.00	\$110,000.00	24.18%
BOA - Cleanup Contractor	\$55,000.00	\$55,000.00	\$0.00	0.00%
TAT/START	\$40,000.00	\$33,000.00	\$7,000.00	17.50%
Contingency	\$72,000.00	\$0.00	\$72,000.00	100.00%
<b>Intramural Costs</b>				
<b>Total Site Costs</b>	<b>\$622,000.00</b>	<b>\$433,000.00</b>	<b>\$189,000.00</b>	<b>30.39%</b>

\* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

### 2.5 Other Command Staff

No pertinent information to report at this time.

## 3. Participating Entities

EPA is coordinating all activities with NCDEQ Division of Waste Management and Division of Water Resources and the City of Shelby.

## 4. Personnel On Site

One FOSC was on-site (starting 9/18/2018) coordinating response operations. Multiple personnel from State and Local Agencies assisted with the response. Contracting resources from EPA BOA, ERRS and START programs mobilized to the site.

## 5. Definition of Terms

No pertinent information to report at this time.

## 6. Additional sources of information

### 6.1 Internet location of additional information/report

Additional information can be found at [response.epa.gov/LROilRecovery](https://response.epa.gov/LROilRecovery). Log-in credentials may be required to view certain content.

### 6.2 Reporting Schedule

Pollution Reports (POLREP) will be drafted weekly based on activities at the site. This schedule will change and be less frequent as the emergency response progresses. Please note that POLREP must be review and approved prior to publication, so there may be a delay.

#### **7. Situational Reference Materials**

Additional information can be found at [response.epa.gov/LROilRecovery](https://response.epa.gov/LROilRecovery). Log-in credentials may be required to view certain content.